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FIFTY-FOURTH LEGISLATIVE DAY
FRIDAY, FEBRUARY 28, 2003

Senate Chamber

President Risch called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senators Darrington and Malepeai, absent and formally excused by the Chair; and Senators Burkett, Gannon, Ingram, Little, Noble, Pearce, Stennett, and Williams, absent and excused.

Prayer was offered by Chaplain Gene Arnold.

The Pledge of Allegiance was led by Alexey Chikanchi, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

Senators Gannon, Ingram, Little, and Stennett were recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 27, 2003, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senators Burkett and Pearce were recorded present at this order of business.

February 28, 2003

The JUDICIARY AND RULES Committee reports that S 1133, S 1134, S 1135, S 1136, S 1137, SCR 107, SCR 108, and SR 103 have been correctly printed.

DARRINGTON, Chairman

S 1133 was referred to the Commerce and Human Resources Committee.

S 1134 was referred to the Education Committee.

S 1135, S 1136, and S 1137 were referred to the State Affairs Committee.

SCR 107, SCR 108, and SR 103 were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 27, 2003

The TRANSPORTATION Committee reports out H 204 with the recommendation that it do pass.

INGRAM, Chairman

H 204 was filed for second reading.

February 27, 2003

The COMMERCE AND HUMAN RESOURCES Committee reports out S 1090 with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

ANDREASON, Chairman

There being no objection, S 1090 was referred to the Fourteenth Order of Business, General Calendar.

February 27, 2003

The COMMERCE AND HUMAN RESOURCES Committee reports out S 1125, S 1119, S 1097, S 1127, S 1110, H 175, H 176, H 28, and H 29 with the recommendation that they do pass.

ANDREASON, Chairman

S 1125, S 1119, S 1097, S 1127, S 1110, H 175, H 176, H 28, and H 29 were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 27, 2003

Mr. President:

I transmit herewith H 229, H 125, as amended, H 195, H 233, HCR 22, H 203, H 186, H 259, HCR 25, H 231, H 213, and H 237, and I return herewith S 1011, S 1052, and S 1106, which have passed the House.

JUKER, Chief Clerk

H 229, H 125, as amended, H 195, H 233, HCR 22, H 203, H 186, H 259, HCR 25, H 231, H 213, and H 237 were filed for first reading.

S 1011, S 1052, and S 1106 were referred to the Judiciary and Rules Committee for enrolling.

February 27, 2003

Mr. President:

I return herewith Enrolled **S 1035**, which has been signed by the Speaker.

JUKER, Chief Clerk

Enrolled **S 1035** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced the Resources and Environment Committee report relative to the Gubernatorial appointment of Scott Farr was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Little, seconded by Senator Stennett, the Gubernatorial appointment of Scott Farr as a member of the Idaho Outfitters and Guides Licensing Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced the Resources and Environment Committee report relative to the Idaho Fish and Game Commission appointment of Ray Lyon was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Andreason, seconded by Senator Stennett, the Idaho Fish and Game Commission appointment of Ray Lyon as a member of the Idaho Outfitters and Guides Licensing Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Idaho Fish and Game Commission appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Commission informing them of the action of the Senate.

On request by Senator Sorensen, granted by unanimous consent, **HCR 23** retained its place on the calendar for March 3, 2003.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 229, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 125, as amended, by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

H 195 and **H 233**, by Local Government Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

HCR 22, by Environmental Affairs Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

H 203, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 186, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

H 259, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

HCR 25, by Ways and Means Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

H 231, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 213 and **H 237**, by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

On request by Senator Sorensen, granted by unanimous consent, **S 1130** was referred to the Fourteenth Order of Business, General Calendar.

H 22, H 23, H 24, and H 25, by Mr. Speaker, were read the second time at length and filed for third reading.

H 162, H 164, H 165, H 166, and H 247, by State Affairs Committee, were read the second time at length and filed for third reading.

H 255, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

H 223, by State Affairs Committee, was read the second time at length and filed for third reading.

H 151, by Local Government Committee, was read the second time at length and filed for third reading.

H 225, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

H 21, by Mr. Speaker, was read the second time at length and filed for third reading.

H 19, and **H 20**, by Mr. Speaker, were read the second time at length and filed for third reading, Consent Calendar.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1064 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McWilliams arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Brandt, Bunderson, Burkett, Burtenshaw, Calabretta, Cameron, Compton, Davis, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Marley, McKenzie, McWilliams, Noh, Pearce, Richardson, Schroeder, Sorensen, Stegner, Stennett, Sweet, Werk. Total - 31.

NAYS--None.

Absent and excused--Darrington, Malepeai, Noble, Williams. Total - 4.

Total - 35.

Whereupon the President declared **S 1064** passed, title was approved, and the bill ordered transmitted to the House.

Senator Noble was recorded present at this order of business.

S 1078 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bailey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Brandt, Bunderson, Burkett, Burtenshaw, Calabretta, Cameron, Compton, Davis, Gannon, Geddes, Goedde, Ingram, Kennedy, Keough, Little, Lodge, Marley, McWilliams, Noble, Noh, Richardson, Schroeder, Sorensen, Stegner, Stennett, Sweet, Werk. Total - 28.

NAYS--Davis, Hill, McKenzie, Pearce. Total - 4.

Absent and excused--Darrington, Malepeai, Williams. Total - 3.

Total - 35.

Whereupon the President declared **S 1078** passed, title was approved, and the bill ordered transmitted to the House.

S 1079 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Brandt, Bunderson, Burkett, Burtenshaw, Cameron, Compton, Davis, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Marley, McKenzie, McWilliams, Noble, Noh, Pearce, Richardson, Schroeder, Sorensen, Stegner, Stennett, Sweet, Werk. Total - 31.

NAYS--Calabretta. Total - 1.

Absent and excused--Darrington, Malepeai, Williams. Total - 3.

Total - 35.

Whereupon the President declared **S 1079** passed, title was approved, and the bill ordered transmitted to the House.

S 1081 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bunderson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Brandt, Bunderson, Burkett, Burtenshaw, Cameron, Compton, Davis, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Marley, McKenzie, McWilliams, Noble, Noh, Pearce, Richardson, Schroeder, Sorensen, Stegner, Stennett, Sweet, Werk. Total - 31.

NAYS--None.

Absent and excused--Calabretta, Darrington, Malepeai, Williams. Total - 4.

Total - 35.

Whereupon the President declared **S 1081** passed, title was approved, and the bill ordered transmitted to the House.

S 1082 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burkett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Brandt, Bunderson, Burkett, Burtenshaw, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Malepeai, Marley, McKenzie, McWilliams, Noh, Pearce, Richardson, Schroeder, Sorensen, Stennett, Sweet, Werk. Total - 25.

NAYS--Cameron, Compton, Darrington, Davis, Little, Lodge, Noble, Stegner. Total - 8.

Absent and excused--Calabretta, Williams. Total - 2.

Paired and voting included in roll call:

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|------------------|------------------|
| AYE - Malepeai | NAY - Stegner |
| AYE - McWilliams | NAY - Darrington |

Total - 35.

Whereupon the President declared **S 1082** passed, title was approved, and the bill ordered transmitted to the House.

S 1038 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bailey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Brandt, Bunderson, Burkett, Burtenshaw, Calabretta, Cameron, Compton, Davis, Gannon, Goedde, Hill, Ingram, Kennedy, Little, Malepeai, Marley, McWilliams, Noh, Schroeder, Stennett, Werk. Total - 23.

NAYS--Geddes, Keough, Lodge, McKenzie, Noble, Pearce, Richardson, Sorensen, Stegner, Sweet. Total - 10.

Absent and excused--Darrington, Williams. Total - 2.

Paired and voting included in roll call:

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| AYE - Malepeai | NAY - Geddes |
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Total - 35.

Whereupon the President declared **S 1038** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 12 noon until the hour of 9 a.m., Monday, March 3, 2003.

JAMES E. RISCH, President

Attest: JEANNINE WOOD, Secretary